

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

WILLIAM RESTUCCI )  
Petitioner, )  
V, ) Civil Action No. 04-12197-WGY  
SUFFOLK DISTRICT ATTORNEY )  
ET ALS, )  
Respondents. )

PURSUANT TO UNITED STATES FEDERAL RULES OF  
CIVIL PROCEDURE 62(b) AND OR 76(b),  
PETITION FOR STAY OF JUDGEMENT PENDING THE  
DECISION ON PETITIONERS REQUEST FOR LEAVE TO  
FILE A SECOND s2254 HABEAS PETITION IN THIS  
UNITED STATES DISTRICT COURT

The petitioner in this important matter request leave from this Honorable Court to stay the judgement on the order of dismissal by this Court on November 23 2004 of the Judgement of Chief Justice William Young on, apparently, November 15 2004 ordering the dismissal of petitioners petition. The stay would be pending the determination and decision rendered in the United States Court of Appeals to file a second s2254 petition in this Honorable Court.

[F]or the following reasons the petitioner deems that this petition appropriate to further serve the ends of justice;

1. The petitioner is doing what was stated by this Court to

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do to adequately and inexpensively serve a better purpose to serve and protect the petitioners rights to the United States Constitution.

2. Should the United States First Circuit Court of Appeals deny the petitioners leave to file a second Habeas petition in this court petitioner will need to file a notice of appeal of the order of dismissal pursuant to rules 3&4 of the Federal rule of appellate procedure of the order of dismissal in this action, No. 04-1297-WCY.

3. What has been done to the petitioner by the prosecutor, defense counsel, and the lower courts caused petitioner prejudice and amounts to corruption in entirety of petitioners conviction.

4. Petitioner suffers from a violation of the United States Supreme Court decision in Brady vs, Maryland, 373 U.S. 83 (1963). The facts are the facts and nothing can change that the petitioners is entitled to relief and to have his conviction expunged. As a United States Citizen petitioner is entitled to protections from the great United States Constitution otherwise jurisdiction would be outside the United States. The law is the law and petitioner is entitled to relief because he is a citizen of the United States of America.

5. Petitioner is not guilty and asked for an attorney every step of the way in his pleadings to the courts. Petitioner was

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tormented into pleading guilty, petitioner was forced to be tried with co defendant after co defendant admitted his guilt to boston

police, and petitioner was forced to plead guilty at the same exact time as the co defendant.

Petitioner has committed [n]o crime unless shutting his mouth and asking for an attorney once he was arrested constitutes a crime.

6. Allowance of this motion would further facilitate the ends of justice.

Wherefore, The petitioner prays that this Honorable court allow this petition.

Dated November 28 2004

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "William Restucci".

William Restucci; pro se  
PO Box 43, Norfolk Mass,  
02056